

## **Information Helpful in the Review of Pilot Applications in addition to the AML Pilot Guidance Document**

The purpose of this baseline information is to provide the AML Pilot States/Tribes with an overview of the information frequently considered in OSMRE's review of AML Pilot applications in conjunction with the AML Pilot Guidance Document. It also includes emerging issues identified in application packages reviewed to date, complex financial relationships, and revisions to the Federal financial assistance regulations.

- **AML Nexus**

Determining macro- and micro-economics of past mining impacts (e.g. local community providing labor force that supported past mining in the area), proximity of AML features, direct/indirect impact of AML/past mining activities.

- **Economic/Community Development Nexus**

"Category A" Projects (reclamation with development) can demonstrate development in terms of:

- Jobs created (beyond those jobs necessary to conduct reclamation);
- Businesses created, or served, or improved;
- Infrastructure created (impact could be measured by the linear feet, acreage, square feet, or other unit of measure for the expected amount of water, sewer, utility, or other form of infrastructure installed, constructed or repaired);
- Increased, enhanced, or restored infrastructure system capacity;
- Communities served or improved;
- Households served or improved;
- New or existing workers or students served or improved; and
- Number of visitors (overnight and daytime).

"Category B" Projects (reclamation for potential development) can demonstrate the creation of favorable conditions for development by providing:

- Documentation of the role of the project in the area's economic development strategy or other economic and community development planning process.
- Documentation of the planned economic and community use of the project site after the primary reclamation activities are completed. Examples include contracts, agreements in principle, or other evidence that, once reclaimed, the site is reasonably anticipated to be used for one or more industrial, commercial, residential, agricultural or recreational purposes.

- **Performance Measures**

Performance goal(s) that are measurable/quantifiable (with estimates if possible). Understanding of how the performance measures will be collected by the applicant/project partners to define project success. It is important that project applicants understand that reporting on these measures will be required.

Examples of potential performance measures:

- Jobs created (beyond those jobs necessary to conduct reclamation);
- Businesses created, served, or improved;

- Infrastructure created (impact could be measured by the linear feet, acreage, square feet, or other unit of measure for the expected amount of water, sewer, utility, or other form of infrastructure installed, constructed or repaired);
  - Revenues increased (export or domestic sales);
  - Patients served or improved;
  - Participants served or improved;
  - Organizations served or improved;
  - Increased, enhanced, or restored infrastructure system capacity (includes energy capacity, broadband accessibility);
  - Communities served or improved;
  - Households served or improved;
  - Housing units constructed or rehabilitated;
  - New or existing workers or students served or improved;
  - Number of visitors (overnight and daytime); and
  - Quantifiable recreational opportunities created.
- **Multi-Phase Projects**  
Ensuring that multi-phase projects receiving Pilot funds from multiple Fiscal Years (FYs) have separate measurable metrics for each FY of Pilot funding.
- **Budget Estimates**
    - Breakdown of Pilot funding that show how funds will be expended
    - Distinguishing how Pilot funds will be used relative to funds from other sources
    - Ensuring that Pilot funds are tracked separately from Title IV AML funds
    - Allowable and unallowable costs
- **Compliance with Federal Financial Assistance regulations and statutes (e.g. 2 CFR 200 and the FAIR Act - 2 CFR 1402)**
    - Understanding the financial relationships between the pass-through entity (i.e. State/Tribe) and project partners/applicants
    - Identifying all entities slated to receive Pilot funds from the pass-through entity
    - Federal interest in real property purchase/lease agreements and reporting
    - Equipment purchase >\$5k
    - Allowable costs for the use of Pilot funds
    - Program income generation
    - Reporting requirements (real property and equipment purchases over \$5,000)
    - Subrecipient/Contractor determination
    - Indirect costs
    - Administrative costs
- **Community Involvement/Support**  
Letters of support, agreements, MOUs, commitments, development plans, etc. This is helpful for all projects and very important for Category B projects to demonstrate commitment for future development and to avoid the “field of dream” association.
- **Pictures/Maps/Designs**  
Provide a visualization of the proposed project.



- **NEPA Analyses**

Confirm that project applicants are aware that an EA is required as a minimum NEPA analysis (required before an ATP) to address socio-economic/community development (including future development with a Category B project). *(Note: AML CEs should not be applied to Pilot projects because the CEs developed for the AML Program never contemplated socio-economic impacts).*